

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MEMORANDUM AND ORDER

MURPHY, District Judge:

Petitioner, Robert Joseph Zani, brings this habeas corpus action pursuant to 28 U.S.C. § 2241.

The case is now before the Court for a preliminary review of the petition pursuant to Rule 4 of the Rules Governing Section 2254 Cases in United States District Courts.

Rule 4 provides that upon preliminary consideration by the district court judge, “[i]f it plainly appears from the petition and any attached exhibits that the petitioner is not entitled to relief in the district court, the judge must dismiss the petition and direct the clerk to notify the petitioner.” Rule 1(b) of those Rules gives this Court the authority to apply the rules to other habeas corpus cases. After carefully reviewing the petition in the present case, the Court concludes that Zani is not entitled to relief, and the petition must be dismissed.

According to the petition, Zani was convicted of murder in Travis County, Texas, in 1981, for which he is serving a 99-year sentence. He is currently incarcerated at the Michael Unit of the Texas Department of Criminal Justice (“TDCJ”) in Tennessee Colony, Texas.¹ Why, then, has he filed this

¹ As reflected on the TDCJustice website, <http://168.51.178.33/webapp/TDCJ/InmateDetails.jsp?sidnumber=01931118> (accessed June 3, 2009).

action in the Southern District of Illinois? Because his chosen respondent, Gilster-Mary Lee Corporation (“GMLC”), is based in Chester, Illinois,² located within this District. This begs the next question: why has he chosen this entity as the sole respondent in this action? To quote Zani,

Gilster-Mary Lee Corp. is a major interstate supplier to the TDCJ and a 100% supporter of all TDCJ policies, practices and procedures including the abject slavery of non-duly convicted prisoners. Interstate support of such slavery ostensibly ended at the end of the Civil War; but interstate collusion between Gilster-Mary Lee Corp. and the TDCJ has kept an unconstitutional practice of slavery alive in Texas. The apex of profits before people.

By its gross misconduct Gilster-Mary Lee Corp. draws attention to itself and the fact it helps keep alive the largest Marxist-Leninist totalitarian communist operation in America — a system which mandates the non-payment of wages, except to vanguard party members. Ronald Reagan did not defeat communism. Gilster-Mary Lee and the TDCJ are keeping it alive and well.

Petition (Doc. 1 at 8, emphasis in original). In essence, Zani believes that as an alleged supplier of food to the TDCJ, GMLC is responsible for his continued incarceration. This claim is baseless. Section 2241(c) governs the availability of the relief sought; Zani simply does not meet any of the exceptions noted therein. If, however, Zani wishes to challenge the *validity* of his conviction or sentence – which is not alleged here – he must do so in a court of competent jurisdiction. *See* 28 U.S.C. § 2241(d); *see also* 28 U.S.C. § 2254.

The petition for writ of habeas corpus under § 2241 is **DENIED**, and this action is **DISMISSED with prejudice.**

IT IS SO ORDERED.

DATED: 6/4/09

s/ *G. Patrick Murphy*
G. Patrick Murphy
United States District Judge

² *See* <http://www.gilstermarylee.com/> (accessed June 3, 2009).